

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTONIO B. GONZALES,

Plaintiff,

v.

LT. KARNA, et al.

Defendants.

ORDER

Case No. 15-cv-246-bbc

Plaintiff Antonio B. Gonzales, a prisoner in the custody of the Wisconsin Department of Corrections, has filed a proposed civil complaint. Plaintiff requests leave to proceed without prepayment of the filing fee. Plaintiff is a prisoner and, therefore, subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether plaintiff can proceed *in forma paupers*, plaintiff will have to make an initial partial payment of the filing fee for this case. A decision regarding plaintiff's indigency status cannot be determined at this time because the trust fund account statement submitted does not cover the entire six-month period immediately preceding the filing of the complaint.

Plaintiff has submitted an uncertified one-month statement for December, 2014. Instead, plaintiff must submit certified copies of trust fund account statements for the *entire* six-month period immediately preceding the filing of the complaint. It is clear from the one-month statement that plaintiff submitted, that, prior to December 17, 2014, plaintiff was located at a different institution. So, in addition to obtaining a certified copy of plaintiff's trust fund account statement from plaintiff's current institution, Columbia Correctional Institution, plaintiff must also write to the institution where plaintiff was in custody before December 17, 2014 to obtain a certified copy of the statement from that institution for the

remainder of the six-month period, which is September 17, 2014 to December 17, 2014. Once plaintiff has submitted the necessary statements, I will calculate the initial partial payment and advise plaintiff of the amount due before then court can screen the merits of the complaint under § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff Antonio B. Gonzales may have until May 20, 2015 to submit certified copies of trust fund account statements for the period beginning approximately September 17, 2014 and ending approximately March 17, 2015. If, by May 20, 2015, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 27th day of April, 2015.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge